



BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE  
Foreign-Trade Zones Board  
[Order No. 1970]

Reorganization of Foreign-Trade Zone 23  
under Alternative Site Framework  
Buffalo, New York

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

WHEREAS, the Board adopted the alternative site framework (ASF) (15 CFR Sec. 400.2(c)) as an option for the establishment or reorganization of zones;

WHEREAS, the County of Erie, grantee of Foreign-Trade Zone 23, submitted an application to the Board (FTZ Docket B-82-2014, docketed 11-13-2014) for authority to reorganize under the ASF with a service area of Erie County, New York, in and adjacent to the Buffalo Customs and Border Protection port of entry, FTZ 23's existing Site 1 would be categorized as a magnet site, existing Sites 5, 6, 9, 10 and 11 would be categorized as usage-driven sites, and existing Sites 2, 3, 7 and 8 would be removed from the zone;

WHEREAS, notice inviting public comment was given in the *Federal Register* (79 FR 68854, 11-19-2014) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

WHEREAS, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

NOW, THEREFORE, the Board hereby orders:

The application to reorganize FTZ 23 under the ASF is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, to the Board's standard 2,000-acre activation limit for the zone, and to an ASF sunset provision for usage-driven sites that would terminate authority for Sites 5, 6, 9, 10 and 11 if no foreign-status merchandise is admitted for a *bona fide* customs purpose within three years from the month of approval.

Signed at Washington, DC, this 3rd day of April 2015.

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Paul Piquado,  
Assistant Secretary of Commerce  
for Enforcement and Compliance,  
Alternate Chairman,  
Foreign-Trade Zones Board.